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Attorney's Docket No. 5800-2A



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Glucksmann, et al.
Appl. No.: 09/324,465
Filed: 6/2/99
For: 2871 RECEPTOR, A NOVEL G-PROTEIN COUPLED RECEPTOR

Group Art Unit: 1635
Examiner: A. Wang

November 27, 2000

DECLARATION UNDER 37 C.F.R. §1.802

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

The undersigned, Robert E. McCarthy, declares and states,

1. That he has full and express authority to represent Millennium Pharmaceuticals, Incorporated, Assignee of Application No.09/324,465, by assignment recorded in the United States Patent and Trademark Office on August 31, 1999, at Reel 010203 and Frame 0289.
2. That he has read and understands the above-captioned U.S. Patent Application Number 09/324,465, filed June 2, 1999 for "2871 RECEPTOR, A NOVEL G-PROTEIN COUPLED RECEPTOR".
3. That the Assignee hereby provides assurance of the permanent availability of the following organisms deposited at The American Type Culture Collection, 10801 University Drive, Manassas, VA 20110-2209, USA:

<u>Strain</u>	<u>ATCC Accession No.</u>	<u>Date of Deposit</u>
E. Coli w/plasmid insert Ep 2871	<u>PTA-2369</u>	<u>August 11, 2000</u>

4. That the Assignee hereby provides assurance that the material deposited in paragraph 3, above, is, in each instance, the same biological material specifically identified in the above-

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captioned patent application, as filed.

5. That the Assignee hereby provides assurance that it will:
- a. During the pendency of the patent application, allow access to the deposited _____
organism listed in paragraph 3, above, to those persons properly designated by the
Commissioner of Patents and Trademarks;
 - b. Replace the deposited _____ organism _____ should it die or be destroyed:
 - (1) During the enforceable life of any patent issued out of the above-identified
patent application,
 - (2) For five years after the last request for a sample of the deposited _____
organism _____, or
 - (3) For thirty years;
 - c. Upon issuance of a patent, irrevocably remove all restrictions of access to the _____
organism _____ for the duration of the deposit; and
 - d. Pay the maintenance charges for the duration of the deposit.
6. That all statements made of his own knowledge are true and that all statements made on
information and belief are believed to be true; and further acknowledges that willful false
statements and the like so made are punishable by fine or imprisonment, or both, under Section
1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize
the validity of the application or any patent issuing thereon.

For: Millennium Pharmaceuticals, Incorporated

By: Robert E. McCarthy
Robert E. McCarthy

Date: November 27, 2000

Register No. 46,044